EXHIBIT E
HB234 ELECTIONS (WOLPERT, L) To permit a board of elections, in conjunction with a board of education, the governing authority of a community school, or the chief administrator of a nonpublic school, to establish a program permitting certain high school seniors to serve as precinct officers on the day of an election, and to permit a board of elections to establish such a program for home-instructed students who are in the equivalent of the twelfth year of a one through twelve year instructional program; expands absentee voting.

This Act had been signed by the Governor. Page numbers will not correspond with the final printed version, but the languages remain the same.

Passed: October 18, 2005

Signed by the Governor: October 28, 2005

Effective: January 27, 2006

126th General Assembly

Substitute House Bill Number 234

An Act


Senators: Cates, Niehaus, Mumper, Grendell, Clancy, Coughlin, Goodman, Padgett, Austria, Harris

A BILL

To amend sections 3501.17, 3501.22, 3501.27, 3503.16, 3509.02, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3511.02, 3511.04, 3511.09, 3599.12, 3599.21, and 4109.06 and to enact sections 3509.022, 3509.09, and 3511.13 of the Revised Code to permit a board of elections, in conjunction with a board of education, the governing authority of a community school, or the chief administrator of a nonpublic school, to
establish a program permitting certain high school seniors to serve as precinct officers on the day of an election, and to revise the law governing absent voter's ballots and armed service absent voter's ballots.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3501.17, 3501.22, 3501.27, 3503.16, 3509.02, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3511.02, 3511.04, 3511.09, 3599.12, 3599.21, and 4109.06 be amended and sections 3509.022, 3509.09, and 3511.13 of the Revised Code be enacted to read as follows:

Sec. 3501.17. (A) The expenses of the board of elections shall be paid from the county treasury, in pursuance of appropriations by the board of county commissioners, in the same manner as other county expenses are paid. If the board of county commissioners fails to appropriate an amount sufficient to provide for the necessary and proper expenses of the board of elections pertaining to the conduct of elections, other than expenses for employee compensation and benefits incurred in the conduct of elections, the board of elections may apply to the court of common pleas within the county, which shall fix the amount necessary to be appropriated and the amount shall be appropriated. Payments shall be made upon vouchers of the board of elections certified to by its chairperson or acting chairperson and the director or deputy director, upon warrants of the county auditor.

The board of elections shall not incur any obligation involving the expenditure of money unless there are moneys sufficient in the funds appropriated therefor to meet the obligation as required in division (D) of section 5705.41 of the Revised Code. If the board of elections requests a transfer of funds from one of its appropriation items to another, the board of
vote at any other location or by absent voter's ballot mailed to
any other location or address for that particular election.

Sec. 3509.02. (A) Any qualified elector who meets any of the
following qualifications may vote by absent voter's ballots at an
election:

(1) The elector is sixty-two years of age or older.

(2) The elector's employment as a full-time fire fighter,
full-time peace officer as defined in division (B) of section
2935.01 of the Revised Code, or full-time provider of emergency
medical services may prevent the elector from voting at the
elector's polling place on the day of the election.

(3) The elector is a member of the organized militia, serving
on active duty within this state, and will be unable to vote on
election day on account of that active duty.

(4) The elector will be absent from the elector's polling
place on the day of an election because of the elector's entry or
the entry of a member of the elector's family into a hospital for
medical or surgical treatment.

(5) The elector is confined in a jail or workhouse under
sentence for a misdemeanor or is awaiting trial on a felony or
misdemeanor charge.

(6) The elector will be unable to vote on the day of an
election on account of observance of the elector's religious
belief.

(7) The elector will be absent from the county in which the
elector's voting residence is located on the day of an election.

(8) The elector has a physical disability, illness, or
infirmity.

(B) Any qualified elector who is unable to appear at the office of the board of elections or other location designated by the board on account of personal illness, physical disability, or infirmity, and who moves from one precinct to another within a county or changes his or her elector’s name and moves from one precinct to another within the county, or moves from one county to another county within the state, on or prior to the day of a general, primary, or special election and has not filed a notice of change of residence or change of name may vote by absent voter’s ballots in that election as specified in division (B) or (G) of section 3503.16 of the Revised Code. Any qualified elector who moves from one county to another county within the state on or prior to the day of the election at which the elector offers to vote and has not filed a notice of change of residence may vote by absent voter’s ballots at that election as specified in division (C) of section 3503.16 of the Revised Code.

(C) The secretary of state, an employee of the secretary of state, a member or employee of the board of elections or any person hired by the board to work at the office of the board temporarily for a specific election, or a polling place official, who is a qualified elector may vote by absent voter’s ballots. Application shall be made to the board of elections of the county where his voting residence is situated.

Sec. 3509.022. An overseas voter as defined in 42 U.S.C. 1973ff-6, other than an absent uniformed services voter as defined in that statute, may apply for an absent voter’s ballot as provided in this chapter.

Sec. 3509.03. Except as provided in division (B) or (C) of section 3503.16, section 3509.031, or division (B) of section 3509.08 of the Revised Code, any person qualified elector desiring to vote absent voter’s ballots at an election shall make written
application for ballots to the director of elections of the county in which the elector's voting residence is located. The application need not be in any particular form but shall contain words which, liberally construed, indicate the request for ballots, the election for which such ballots are requested, and, if the request is for primary election ballots, the person's party affiliation. The application for such ballots shall state that the person requesting the ballots is a qualified elector, and the reason for the person's absence from the polls on election day. The application shall include sufficient information to enable the director to determine the precinct in which the applicant's voting residence is located and shall be signed by the applicant. If the applicant desires ballots to be mailed to the applicant, the application shall state the mailing address of the following:

(A) The elector's name;

(B) The elector's signature;

(C) The address at which the elector is registered to vote;

(D) The elector's date of birth;

(E) One of the following:

(1) The elector's driver's license number;

(2) The last four digits of the elector's social security number;

(3) A copy of the elector's current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the elector.
(F) A statement identifying the election for which absent voter's ballots are requested:

(G) A statement that the person requesting the ballots is a qualified elector:

(H) If the request is for primary election ballots, the elector's party affiliation:

(I) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.

A voter who will be outside the United States on the day of any election during a calendar year may use a single federal post card application to apply for absent voter's ballots. Such ballots shall be sent to the voter for use at the primary and general elections in that year and any special election to be held on the day in that year specified by division (E) of section 3501.01 of the Revised Code for the holding of a primary election, designated by the general assembly for the purpose of submitting constitutional amendments proposed by the general assembly to the voters of the state unless the voter reports a change in the voter's voting status to the board of elections or the voter's intent to vote in any such election in the precinct in this state where the voter is registered to vote. Such an application shall be processed by the board of elections pursuant to section 3509.04 of the Revised Code the same as if the voter had applied separately for absent voter's ballots for each election. When mailing absent voter's ballots to a voter who applied for them by single federal post card application, the board shall enclose notification to the voter that the voter must report to the board subsequent changes in the voter's voting status or the voter's subsequent intent to vote in any such election in the precinct in this state where the voter is registered to vote. Such notification shall be in a form prescribed by the secretary of state. As used in this section,
"voting status" means the voter's name at the time the voter applied for absent voter's ballots by single federal post card application and the voter's address outside the United States to which the voter requested that such ballots be sent.

Each application for absent voter's ballots shall be delivered to the director not earlier than the first day of January of the year of the elections for which the absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, and not later than twelve noon of the third day before the day of the election at which such ballots are to be voted, or not later than the close of regular business hours on the day before the day of the election at which the absent voter's ballots are to be voted if the application is delivered in person to the office of the board.

**Sec. 3509.031. (A)** Any qualified elector who is a member of the organized militia called to active duty within the state of Ohio and who will be unable to vote on election day on account of such active duty may make written application for absent voter's ballots to the director of elections for the county in which his voting residence is located. The elector may personally deliver such application to the director or may mail it, send it by facsimile machine, or otherwise send it to the director. Such application need not be in any particular form but shall contain the applicant's signature. The application need only contain words which, liberally construed, indicate the request for ballots, the election for which such ballots are requested and, if the request is for primary election ballots, the party affiliation of the applicant. The applicant should indicate that the applicant is a qualified elector, and that the applicant is a member of the organized militia serving on active duty within the state of Ohio. Sufficient information should be included to enable the director to determine the precinct in which his voting